

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ARTHUR I. NOVAK, an individual,

Plaintiff,

V.

**VAN ENTERPRISES EMPLOYEE
BENEFIT TRUST, a Kansas trust, and
FMH BENEFIT SERVICES, INC., a
Kansas corporation,**

Defendants.

CASE NO. 8:06CV562

ORDER

The matter before the Court is the parties' joint Stipulation of Dismissal with Prejudice (Filing No. 38). The Court finds that the stipulation complies with Fed. R. Civ. P. 41(a)(1)(ii). Accordingly,

IT IS ORDERED:

1. The Stipulation of Dismissal with Prejudice (Filing No. 38) is approved;
2. The Amended Complaint (Filing No. 25) is hereby dismissed with prejudice;
and
3. Each party shall pay its own costs as stated in the Stipulation of Dismissal with Prejudice.

DATED this 20th day of April, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge